

REMARKS/ARGUMENTS

Entry of this response and reconsideration and allowance of the above-identified patent application are respectfully requested. Please note that a supplemental information disclosure statement (SIDS) has been filed concurrently with the present response. The Examiner is respectfully requested to consider and initial the cited references.

This application claims priority under 35 U.S.C. § 119(e) from provisional application no. 60/177,237, filed January 20, 2000. Examiner is respectfully requested to acknowledge priority under 35 U.S.C. § 119(e) in the next communication.

Formal drawing are filed herein. Examiner is respectfully requested to acknowledge receipt and acceptance of the drawings as formal.

Claims 2-7, 10-16, 18-22, and 24-31 are currently pending in this application. By this amendment, claims 11-16, 18-21, 25-27, and 30 are amended. Claims 2-7, 10, 22, 24, 28, 29 and 31 have been cancelled. Claims 32-37 have been added. No new matter is added. Applicants respectfully submit that, upon entry of the subject amendment, the application will be in condition for allowance. Applicants, thus, respectfully request consideration of the above amendment and following remarks.

In the pending Office Action: (1) claims 2, 3, 5-7, 10, 13, 14, 22, and 24-26 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Pat. No. 4,599,598 to Komoda et al. ("Komoda"); (2) claims 4 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komoda; (3) claims 11, 12, 16,

18-21, and 28-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komoda in view of U.S. Patent No. 6,239,722 to Colton et al. ("Colton"); and (4) claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komoda in view of U.S. Pat. No. 4,652,855 to Weikel ("Weikel"). The rejections of the claims are respectfully traversed based on the following discussion.

Briefly, the present invention relates to isolating data in a power line communications system. As shown in the various embodiments of Figures 3-5, the invention may be comprised of a filter and a power line communication (PLC) repeater that is connected to a power line on each side of the filter. As shown in Figure 2, the invention also may comprise one or more filters and a PLC router that are in communication with the power lines. In the example embodiment of Figure 5, the repeater is connected to the power line on the transformer side of the filter and on the subscriber side of the electric meter, thereby providing a bypass for data around the meter (and filter). As explained in the specification, the invention permits data intended for the subscriber to enter the subscriber premises, but substantially prohibits noise (and perhaps other data) from entering the subscriber premises.

Applicant would like to thank Examiner Nguyen for conducting an in-person interview with applicant's representative on August 26, 2003. Although agreement as to specific claim amendment was not reached, the discussion with Examiner Nguyen was helpful in facilitating and progressing the prosecution of the present application.

Rejection of claims 2-26 under 35 U.S.C. § 103 (a)

Claims 2, 3, 5-7, 10, 13, 14, 22, and 24-26 stand rejected as under 35 U.S.C. § 102 as being anticipated by to Komoda. Independent claims 2, 7, and 10 have

been cancelled. Independent method claims 32 and 34 have been added. Claim 32 includes substantially the same limitations as those found in cancelled claims 2 and 3 in method form. Similarly, claim 34 includes substantially the same limitations as those found in cancelled claims 2 and 5 in method form. However, the limitation relating to the filter being "adjacent" to the power meter is no longer present in claim 32 or 34, as it is not deemed necessary with inclusion of the limitations of cancelled claims 3 and 5, respectively. Similarly, method claim 37 has been added and includes the limitations found in cancelled claims 10, 22, and 24. It is the belief of the Applicant that these modifications are consistent with the discussions of the interview.

Dependent claims 11-16, 18-21, and 25-27, which previously depended from cancelled claim 10, have been amended to depend from method claim 37.

Komoda, however, fails to even mention a power meter and does not disclose attaching a filter or repeater in any relation to a power meter. Applicants, therefore, respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a).

Because none of the prior art references cited in the office action discloses, teaches or suggests the combination of claimed elements, Applicants respectfully submit that pending independent claims 32, 34, and 37 are in condition for allowance. Likewise, because a dependent claim includes all the limitations of the claim from which it depends, Applicants respectfully submit that dependent claims 33 and 35, which depend from independent claims 32 and 14, respectively, are in condition for allowance. Additionally, Applicants respectfully request withdrawal of the rejections of dependent claims 11-16, 18-21, 25-27, which, as amended, depend from independent claim 37.

Claim 7 was rejected under 35 U.S.C. § 102 as being anticipated by to Komoda. Independent method claim 36 has been added and includes substantially the same limitations as those found in cancelled claim 7, but in method form. Claim 36 requires that the power line communications repeater be connected across both the low pass filter and the power meter. Komoda, the reference relied upon for the rejection, however, does not disclose or mention a power meter and, therefore, cannot be a basis for rejection.

Applicant therefore respectfully submits that claim 36 is in condition for allowance.

Independent claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komoda in view of Colton. None of the prior art references cited in the office action, either alone or in combination, teach or suggest the claimed device comprising a filter coupled to a branch line and a router communicatively coupled to a network and the branch line on the subscriber premises side of the filter. Applicants, therefore, respectfully request withdrawal of the rejections under 35 U.S.C. § 103(a).

Independent claim 30 requires a router communicatively coupled to the branch line at a node, and a low pass filter coupled to the branch line on the electric power distribution transformer side of the node.

Colton mentions a router for exchanging the data from a wired medium, such as a telephone line, to a wireless medium. In other words, the router of Colton is disposed in the WAN, but is not connected to a power line. Colton fails to teach or suggest a router communicatively coupled to a branch line on the customer premises side of a filter as required by claim 30.

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Because none of the prior art references cited in the office action teaches or suggests a filter coupled to a branch line and a router communicatively coupled to a network and the branch line on the subscriber premises side of the filter, Applicant respectfully requests withdrawal of the rejection of the pending independent claim 30.

In view of the foregoing, it is respectfully submitted that the claimed invention is patentably distinguished over the asserted prior art references and that the application stands in condition for allowance. It is respectfully requested that the application be reconsidered, that all pending claims be allowed, and that the application be passed to issue.

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CONCLUSION

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact Vincent J. Roccia, at (215) 564-8946, to discuss any other changes deemed necessary in a telephonic interview.

If an additional extension is necessary for this amendment to be considered timely filed, a written conditional petition therefore is hereby made. Authorization is hereby granted to charge any deficiencies in fees, including any fees for extension of time under 37 C.F.R. §1.136(a), to Deposit Account 23-3050. Please credit any overpayment in fees to the same deposit account.

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